DR. SHRIKANT RAMCHANDRA JICHKAR: Madam, can you club Question No. 285 and Question No. 287? ...(*Interruptions*)... They are on the same topic.

THE DEPUTY CHAIRMAN: Both these questions are on Meghat.

...(*Interruptions*)...

DR. SHRIKANT RAMCHANDRA JICHKAR: Both these questions relate to the same Ministry...(*Interruptions*)

THE DEPUTY CHAIRMAN: I think we will come to that question....(*Interruptions*)... But, the hon. Member in whose name Question No. 285 stands, is absent....(*Interruptions*)... The questioner of 285 is absent (*Interruptions*)... Shrimati Basanti Sharma and Shri V. Rajeshwar Rao are not there...(*Interruptions*)...We will come to that. Let us finish Question No 286 first....(*Interruptions*)...

*285. *The questioners Shrimati Basanti Sharma and Shri V. Rajeshwar Rao) were absent. For answer vide col. infra.*

Collection under VDIS

*286. SHRI MUKESH R. PATEL:
SHRI SANJAY NIRUPUM:

Will the Minister of FINANCE be pleased to state:

(a) whether it is a fact that the Voluntary Disclosure of Income Scheme (VDIS) of Government has not picked up as it was estimated;

(b) if so, the reasons therefor; and

(c) if not, the details of the amount so far collected in this scheme?

Statement

THE MINISTER OF FINANCE (SHRI P. CHIDAMBARAM): (a) to (c) A Statement is laid on the Table of the House. (a) to (c) It is premature to make any assessment about the success of the scheme. The Voluntary Disclosure of Income Scheme-1997, came into operation from 1.7.97 and will last till 31.12.97. This scheme has been launched to harness black money for productive purposes. The response to the scheme will depend, to a large extent, upon the confidence of the declarants on maintainence of confidentiality of the disclosures. Keeping this in view, the scheme provides that declarations shall be filled only to Commissioners of Income Tax. For the same reason details are not being obtained centrally from the Commissioners regarding the number of declarants or the amounts disclosed, etc.

It has been decided to take stock only towards the end of the period of operation of the scheme.

† The question was actually asked on

श्री संजय निरूपम : मैडम, मैंने वालेंटरी डिस्कलोजर इन्कम स्कीम के बारे में सवाल इसलिए रखा है क्योंकि 28 फरवरी, 1997 को जब माननीय वित्त मंत्री, श्री चिदम्बरम साहब ने अपना बजट पेश किया था और यह स्कीम अनाउन्स की थी, तभी इसकी बहुत आलोचना हुई थी इसको बहुत क्रिटिसाइज किया गया था, और ऐसा कहा गया था कि यह स्कीम सक्सैसफुल नहीं हो पाएगी । ऐसा एक-दो अखबारों में छपकर आया है कि यह स्कीम सक्सैसफुल नहीं हो रही है । बहुत अच्छे ढंग से जो ब्लैक मनी को रिकवर करने वाली बात है, तो यह उन लोगों को एट्रेक्ट नहीं कर पा रही है । तो मेरा सवाल था कि यह स्कीम फ्लाप हो गई है या सक्सैसफुल है? चिदम्बरम साहब ने जवाब यह दिया है कि,

"It is prematur to make any assessment of the sucess of this scheme.

मैडम, इस स्कीम को लांच हुए 42 दिन हो गए हैं । 42 दिनों में क्या चिदम्बरम साहब ने इस स्कीम को रिव्यू करने के लिए कोई भी मीटिंग बुलाई है फोर्टनाइटली या मंथली ? अगर वे नाम डिस्कलोज नहीं कर सकते तो इतना तो बता सकते हैं कि इन 42 दिनों में आल ओवर इंडिया में, सारे हिन्दुस्तान में कितने आवेदन आए हैं डिफरेंट कमीशनस के पास ?

SHRI P. CHIDAMBARAM: Madam, as I have said in my answer, this scheme is based upon preserving confidentialities. I have not taken any credit for any amount under the scheme in the Budget. Anything that we get under the scheme is over and above the estimate in the Budget. And therefore, no targets have been fixed. This scheme is intended to create country a culture of compliance with taxes. This scheme has several parts. One is the straight disclosore of unaccounted income and wealth. The other is section 139(1) where we are motivating a large number of people, particularly people who satisfy two out of four criteria, to become assessees by filing their returns. The third is the on-going scheme of motivating a large number of people to declare their current income. As a deliberate policy, we are not Centrally collecting this information. This information is available only with the Commissioners of Income Tax. They have been told to preserve this with utmost confidentiality. As I said in the other House, I will report back to this House at the end of the scheme about the results of the scheme.

श्री संजय निरूपम : मैडम, मेरे सवाल का जवाब तो आया ही नहीं है।... **(व्यवधान)**

SHRI H. HANUMANTHAPPA: Madam, we are not asking about confidentiality. We are only asking whether the scheme is working or not. We are only asking as to how many applications have been received so far. We want only the number of the people who applied.

SHRI SANJAY NIRUPAM: Yes. I am also asking the same question.

THE DEPUTY CHAIRMAN: Your question is supplemented by Mr. Hanumanthappa... *(Interruptions)*...

SHRI P. CHIDAMBARAM: The scheme is working and I believe, it is working satisfactorily. At the end of the year we can decide whether it is a success or otherwise.

श्री संजय निरूपम : मैडम, मेरा सवाल यह है कि आप यह तो बता सकते हैं कि कितनी एप्लीकेशन्स इन 42 दिनों में, आईं। मैं शहर का नाम नहीं पूछ रहा हूं मैं व्यक्ति का नाम नहीं पूछ रहा हूं लेकिन जिस स्कीम को लेकर के इतनी आलोचना हुई है, इतना क्रिटिसिज्म हुआ है तो कम से कम वित्त मंत्री जी उसका रेगुलर रिव्यु तो करें कि उसमें लोग आ रहे हैं या नहीं, लोग उस स्कीम में इन्टेरस्टिड हैं कि नहीं हैं। मैं उनके नाम देने के लिए या पैरा जाहिर करने के लिए नहीं कह रहा हूं। मैडम, जो मेरा पहला सप्लीमेंटरी क्वेश्चन था उसका अभी तक जवाब नहीं आया है। मैं चाहता हूं कि मंत्री जी पहले उसका जवाब दे दें।

That is with regard to the number of applicants and how many times he has reviewed the scheme.

SHRI P. CHIDAMBARAM: As I said, Madam, as a deliberate policy, I am not collecting Centrally the information received by the Commissioners of Income Tax In fact, I do not agree with the hon. Member that the scheme has widely been criticised. I can recall that Mr. Suresh Prabhu, an hon. Member of the Shiv Sena, has welcomed the scheme.

श्री संजय निरूपम : मैडम, मेरा सेकेण्ड सप्लीमेंटरी क्वेश्चन यह है..... **(व्यवधान)** ...सुरेश प्रभु जी हमारे माननीय सहयोगी सदस्य हैं..... **(व्यवधान)**

प्रो. विजय कुमार मल्होत्रा : मैडम, इस स्कीम में नाम लेना मना है। किसने इसको प्रेफर किया है और किसने प्रेफर नहीं किया है ? यह स्कीम तो कांफीडेंशियल है और आपको इसको कांफीडेंशियल रखना चाहिए। ..... **(व्यवधान)**...

SHRI P. CHIDAMBARAM: We will keep that also confidential. I accept Mr. Malhotra's advice to keep confidential those who have welcomed the scheme privately and criticised it publicly.

श्री संजय निरूपम : मैडम, ठीक है। मैं पब्लिकली इस स्कीम को क्रिटिसाइज

कर रहा हूं और मेरे नाम को कांफीडेंशियली रखने की जरुरत नहीं है। जहां तक सुरेश प्रभु जी की बात है तो वह हमारे माननीय सहयोगी सदस्य हैं लेकिन एक उनकी राय उसके पक्ष में होने का मतलब यह नहीं है कि पूरे देश ने इस स्कीम को एक्सेप्ट कर लिया है। सच यह है कि इस स्कीम को अनैतिक बोला जा रहा है। ऐसा कहा जा रहा है कि जिन लोगों ने ब्लैक मनी जमा कर रखी है, जिन लोगों को ब्लैक मनी जमा कर के रखने की आदत है, उन की आदतों को आप बढ़ावा दे रहे हैं, इस तरह की स्कीमों को ला करके। जब बजट पर एक बार डिसकशन हो रहा था तो मैंने कहा था कि इस स्कीम को इन्कम टैक्स के जरिए रखने के बजाय अगर बैंकों के थ्रू रखा जाए तो इसमें और सीक्रेसी मेंटेन हो सकती है। मंत्री महोदय ने अभी तक इस स्कीम को रिव्यू नहीं किया है तो मैं मंत्री जी से अनुरोध करुंगा कि क्या इस स्कीम को फिर से रिव्यू करके पूरी स्कीम को बैंकों के थ्रू आपरेट करने का कोई डिसीजन लिया जा सकता है ?

SHRI P. CHIDAMBARAM: Madam, I have respect for the hon. Member's view. It is quite possible that a section could continue to view the scheme critically. All I can point out is, the scheme was introduced in the Finance Bill, 1997. The Finance Bill has been passedby the Lok Sabha, has been returned by the Rajya Sabha. I would therefore, like to proceed on the basis that there is a broad parliamentary approval for the scheme. The scheme is being operated through the Commissioners of Income Tax While designing the scheme it is after many, many hours of deliberation it was decided that the Commissioner of Income Tax is the best person to maintain confidentiality of the scheme. Earlier, similar scheme have also rested on the principle of confidentiality. There has been no case, no complaint, to the best of my knowledge, of any instance of breach of confidentiality I am anxious to ensure that there is no breach of confidentiality this time also, and that is why I respectfully submit to the hon. Member who put the question, let us wait until 31st December, and all the information will come out.

श्री राघवजी : उपसभापति महोदया, सच बात तो यह है कि पूरा आयकर विभाग और पूरा आपका मंत्रालय इस बात के लिए लगा है कि स्कीम में अधिक से अधिक घोषणा करने वाले आएं। सारे आयुक्त इस बात के लिए जिले-जिले जा रहे हैं और प्रचार भी कर रहे हैं, इसके बावजूद जो परिणाम मिलना चाहिए वह नहीं मिल रहा है। शायद मंत्री जी उसको छिपाना चाहते हैं। असल बात यह है कि लोगों का विश्वास ही नहीं जम रहा है जिनको घोषणा करनी है कि पता नहीं सरकार उन लोगों के साथ कैसा व्यवहार करेगी। कई लोगों के मामले पेंडिंग भी हैं। तो पैंडिंग मामलों में तो असर नहीं होगा इस बात का भी उनको भरोसा नहीं जम रहा है और ऐसी विश्वसनीयता नहीं होने की वजह से जो इस का परिणाम मिलना चाहिए वह नहीं मिल रहा है। तो मैं माननीय मंत्री जी से यह जानना चाहता हूं कि पिछली जो दो स्कीमें थीं उसमें इस प्रकार का कितना धन घोषित हुआ था और अगर नाम ना बताएं तो केवल रकम बतला दें कि इतने रकम के डिक्लेरेशन आए हैं ? तो अब तक कितनी राशि के डिक्लेरेशन आए हैं ?

उपसभापति : यह भी तो हो सकता है कि लोगों के पास ब्लैक मनी नहीं हो।

श्री संजय निरूपम : मैडम, ऐसा संभव नहीं है इस देश में।

SHRI P. CHIDAMBARAM: Madam, I am glad that the hon. Member, Mr. Raghavji, wants a more encouraging response to the scheme. It means had he been asked to fix some internal target, he would have fixed the target higher than even what I would have fixed. I am grateful to him for that. The point is, as you rightly said, this scheme's success or otherwise depends upon confidentiality. Your last quetion is disturbing. You said, "Even if the Minister does not reveal the names, let him reveal the numbers". "Even if he does not reveal the names" is a very disturbing statement. We will never reveal the names... (*Interruptions*).

SHRI RAGHAVJI: I never meant so.. *(Interruptions)*....

SHRI P. CHIDAMBARAM: No, no, I am just saying. Therefore, the question is we must build confidence. Madam, I respectfully submit that the scheme is working satisfactorily. I am not having a broad grin on my face because I do not want to reveal anything, nor am I having a sour face. The scheme is working satisfactorily. The best guarantee for a reasonable success of the scheme is to ask fewer and fewer questions about it until 31 December, 1997.... *(Interruptions)*..

SHRI RAGHAVJI: It seems that the Minister has decided not to... *(Interruptions)*...

श्री एस.एस. अहलुवालिया : महोदया, मैं आपके माध्यम से मंत्री जी से जानना चाहूंगा कि इसके पहले कितनी वोल्यूंटरी डिस्क्लोजर स्कीम केन्द्रीय सरकार द्वारा लागू की गई और उसमें कितना-कितना रुपया निकला और इस बात इन्होंने कहा हैं कि यह स्कीम लगाई है

तो इस स्कीम को एनाउंस करने से पहले क्या कोई समिति बनाई गई जिसने पूरी असेसमेंट की कि हमारे देश में इतना ब्लैक मनी हैं ? अगर बनाई गई तो उसका क्या ब्यौरा हैं और कितना ब्लैक मनी कंट्री में हैं और क्या इसी तरह जिस तरह हमारी इंडियन करंसी की मनी हिन्दुस्तान में ब्लैक मनी हैं उसी तरह फॉरेन करंसी में भी हमारे नॉन रेजीडेंट इंडियंस का या इंडियंस का पैसा जो विदेशों में पड़ा हुआ हैं उसकी भी कोई वोल्यूंटरी स्कीम आप लागू करने जा रहे हैं या उसकी कोई असेसमेंट कराई हैं, इस पर जरा कृपया बताने की कृपा करें ?

SHRI P. CHIDAMBARAM: Madam, several schemes were launched in the past, but each one differs from the others in material respects... *(Interruptions)*..

SHRI S. S. AHLUWALIA: I have asked specific number, not several. Six or eight... *(Interruptions)*...

SHRI P. CHIDAMBARAM: I am answering... *(Interruptions)*...

उपसभापति : बोल रहे हैं, पूरा तो बोलने दीजिए उनको ।

SHRI P. CHIDAMBARAM: Madam, there was a VDI Scheme in 1951. Then, there was a modified scheme in 1965. There was a Voluntary Disclosure of Income and Wealth Scheme under the Voluntary Disclosure of Income and Wealth Act, 1976. Therefore, there have been several schemes. If you wish to compare the scheme that we have now, the closest comparison is the Voluntary Disclosure of Income and Wealth Act, 1976. Besides, there have been other scheme which do not involve a tax element. There was a Special Beerer Bonds (Immunities and Exceptions) Act, 1981. There was the Remittances of Foreign Exchange (Immunity) Scheme of 1991; there was the National Housing Bank (Voluntary Deposit) Scheme of 1991. There was no tax element there. Some scheme had a tax element. Some schemes did not have a tax element.

On black money, Madam, the last assessment was made by the National Institute of Public Finance and Policy in 1983-84. They estimated that the black money was between Rs. 31,584 and Rs. 36,786 crores. It has always been a matter of surprise to me as to how they could have arrived at a figure up to the last digit of the five-digit number. In fact, I asked Dr. Shankar Acharya as to how they could have arrived at an estimate of Rs. 36,786 and not Rs. 36,787.

Madam, these are, always, simply estimates. To use another word; it is only a guesstimate. I do not want to make any guesstimate. We all know the sources of black money. It is mainly through properly transactions, avoidance of tax because of the past high tax rates, and because of a large number of illegitimate businesses in the country. Illegitimate businesses include smuggling, prostitution, gambling, illicit liquor, etc. They throw up a vast amount of money. They remain as black money.

Anyway, Madam, we have to deal with it. We cannot run away from the problem. I am not saying that I am able to deal with all aspects of black money. But one aspect Parliament has broadly approved, namely, that we have reasonable tax rates. Once we arrive at reasonable tax rates, we give a opportunity to those who were avoiding tax for one reason for the other to come clean.

In fact, the scheme must be understood in the light of what Parliament has approved. If there were not reasonable tax rates, I would not have ventured to suggest this scheme. Now that we all agree we have reasonable tax rates, I believe, the scheme has to be given a chance of success.

As I said, have not taken credit for any resource mobilisation through this scheme. As I said, the sky is the limit. All those who can co-operate, or, ask their friends to co-operate are welcome to do so.

SHRI SATISH AGARWAL: Would you get the support from your major supporting party?

SHRI H. HANUMANTHAPPA: Agarwalji, support is from that side.

SHRI S. S. AHLUWALIA: Madam, the Government is depending on the 1983 report. You don't have any latest report. It is a fourteen-year-old report.

SHRI SANJAY DALMIA: I would like to know from the hon. Minister whether, by the end of the year, i.e. by 31st December, 1997, would the Parliament be entitled to know the names of...

SHRI P. CHIDAMBARAM: No.

SHRI SANJAY DALMIA: Would we know the name of the person who had made the largest disclosure? Would the Parliament be entitled to know the information by the end of the year?

SHRI P. CHIDAMBARAM: Madam, I have said. No names would be divulged ever. I am sorry. Let me make it very clear. Parliament would not be told about the names. We would only report what tax has been collected.

श्री रामदास अग्रवाल : उपसभापति महोदया, सन् 51 से हम ब्लैकमनी से जूझ रहे हैं और 40-45 साल हो गये इस बीच में हमने कई योजनाएं प्रस्तुत की। लेकिन 51 में जितनी ब्लैकमनी थी उसके कम्पेरिजन में 97 में कितनी ब्लैकमनी जनरेट हो गयी इसका अगर हम अन्तर देखें तो उससे ऐसा लगता है कि हमने जैसे-जैसे इलाज किया, मर्ज बढ़ता चला गया। इसका अर्थ यह हुआ कि जब तक आप ब्लैकमनी को रोकने की व्यवस्था नहीं करेंगे तब तक ब्लैकमनी जनरेट करते रहेंगे, उनको डिसक्लोजर का अवसर देते रहेंगे। यह अवसर प्राप्त करने की गुंजाइश 97 में आपने बनाई है, यह 99 में फिर हो सकती है, 2001 में फिर हो सकती है। इसलिए म आपसे यह प्रश्न पूछना चाहता हूं मंत्री महोदय, कि यह ब्लैकमनी जनरेट न हो उसके लिए आपने क्या गम्भीरतापूर्वक विचार करके निश्चय किया है कि इसको कैसे रोका जाये ? अगर आप इसको नहीं रोक पायेंगे तो आपने एक चैनल और खोल दिया है।

मेरे प्रश्न का (ब) भाग यह है कि आपने 100 प्रतिशत एक्सपोर्ट ओरियेन्टेड लोगों को इनकम टैक्स से फ्री किया है। यह एक चैनल पहले ही खुला हुआ है, आपने दूसरा चैनल और खोल दिया है। ये दो चैनल पैरेलल काम कर रहे हैं। क्या आपको लगता है कि जो दूसरा चैनल, डिसक्लोजर स्कीम शुरु की है इससे आपको सफलता मिल पायेगी ? क्या जो ब्लैकमनी जनरेट हो गयी है, इसकी रोकथाम करने के लिए भी कोई व्यवस्था करने जा रहे हैं या फिर हम हर मौके पर दो, पांच साल बाद फिर से ऐसा मौका, ऐसे लोगों को देते रहेंगे जो ब्लैकमनी के माध्यम से भारतवर्ष की आर्थिक नीतियों को प्रभावित कर रहे हैं ?

उपसभापति : आपने बड़ा लम्बा भाषण किया।

SHRI P. CHIDAMBARAM: Madam, I agree that we need to deal with the fundamental questions. Unless these fundamental issues are dealt with, black money will continue to be generated. I have listed a few.

One is reasonable tax rates. I believe Parliament this year has agreed on reasonable tax rates. I am deeply grateful to all political parties for supporting the reasonable income-tax rates. So, we have dealt with one issue.

There are some other issues which have to be dealt with. The second is about registration of properties. In a conference of the Finance Ministers, we proposed that the stamp duty charges should be brought down and that they should be in the range of five to eight per cent. If the stamp duty charges are brought down, I believe more and more people will disclose the true value of their property which is transferred and registered. If the stamp duty charges are 13 per cent or 14 per cent, people will avoid payment of the stamp duty because they think, for good or bad reasons, that the State is not entitled to collect 13 per cent or 14 per cent from one who wishes to transfer his property to another. So, the stamp duty charges must be reduced. I am working with the State Governments. I hope I will succeed shortly. But I would urge all of you, being representatives of the States, to urge upon your State Governments to reduce the stamp duty charges because that is the biggest generator of black money. Every day and right now, while we are speaking, thousands of documents are being registered in India, and the bulk of them are being registered for a value much less than the true value. So, black money is generated.

The third is about the real estate. We have a serious problem. The Urban Land Ceiling Act has not served the purpose for which it was enacted. Everybody has agreed that it must be reviewed, but we have not agreed on the direction the review should take. Builders, real estate agents and other people who hold land are involved in this. There is generation of black money in all transactions involving real estate. So, we need to deal with that problem. Unless we deal with the fundamental issues, there is no way of stopping the generation of black money.

Everything is not within my power. I am willing to do what is possible within my power. I would urge all of you to reflect coolly and calmly on the sources of black money, to deal with the sources which generate black money and to find answers to the problems therein.

Even after we do all these things, there will be some amount of illegimate activity, as I said, smuggling, gambling and prostitution which generate black money. That kind of illegal activity is there in every country. Those are social issues which have to be addressed at the social level.

I do not have an easy answer to stop the generation of black money. We must have legislative and fiscal policies which will discourage people from generating black money. We must also take strong deterrent action againt those who evade taxes.

श्री रामदास अग्रवाल : वित्त मंत्री जी ने कहा है. . . (व्यवधान)

उपसभापति : अभी दो क्वेश्चन पर ही बहुत टाईम लग गया है ।

त्रिपुरा में लोक अदालतें

287. **श्री अनन्तराय देवशंकर दवे :** क्या विधि और न्याय मंत्री यह बताने की कृपा करेंगे कि :

(क) पिछले तीन वर्षों के दौरान त्रिपुरा में अब तक आयोजित लोक अदालतों का ब्यौरा क्या है ;

(ख) इन अदालतों में कितने मामले निपटाए गए हैं और कितने मामलों को नहीं निपटाया गया है ;

(ग) क्या सरकार त्रिपुरा में कुछ और अदालतें आयोजित करने का विचार रखती है ;

(घ) क्या त्रिपुरा में गरीब और जनय जातीय लोगों को उचित और तत्काल न्या- मिलना कठिन है ; और